

United States District Court

State and DISTRICT OF New Mexico

UNITED STATES OF AMERICA

v.

CRIMINAL COMPLAINT

Daniel Troglia

Ernest

(Name and Address of Defendant)

CASE NUMBER:

09-2656mj

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about September 8, 2009 in Socorro, Sierra, and Dona Ana county, in the State and District of New Mexico defendant(s) did, (Track Statutory

~~Knowingly and intentionally persuade, induce, entice, or coerce a minor to engage in sexual activity changeable as a criminal offense; knowingly and intentionally attempt to transport a minor to engage in criminal sexual activity; and, travel in interstate commerce with intent to engage in illicit sexual conduct~~

in violation of Title 18 United States Code, Section(s) 2422(b) & 2423(a), (b)

I further state that I am a(n) Special Agent and that this complaint is based on the following facts:
Official Title

See Attached Affidavit attached and hereby incorporated by reference as if fully restated herein.

Continued on the attached sheet and made a part hereof:



Yes



No

AUSA -Andrea Hattan

Sworn to before me and subscribed in my presence,

Signature of Complainant

Ida M. D'Antonio

Special Agent

Federal Bureau of Investigation

at

City and State

Date

GREGORY B. WORMUTH
U.S. MAGISTRATE JUDGE

Name & Title of Judicial Officer

Signature of Judicial Officer

IN THE DISTRICT OF THE UNITED STATES
FOR THE DISTRICT OF NEW MEXICO

United States of America)
)
 vs.)
) No.
 Daniel Troglia)
)
)

AFFIDAVIT

I, Ida M. D'Antonio, being first duly sworn, hereby
depose and state as follows:

1. This matter concerns an investigation into a
subject who enticed a minor via the Internet transporting a
minor in interstate commerce with the intent that the minor
engage in sexual activity which any person can be charged
with a criminal offense, and traveled in interstate commerce,
to engage in such sexual activity with a minor. This
affidavit is made in support of a criminal complaint, because
probable cause exists to charge Daniel Troglia with
violations of Title 18, United States Code (U.S.C.), Section
2422(b), whoever, using any facility or means of interstate
commerce, knowingly entices any individual who has not
attained the age of 18 years, to engage in any sexual
activity, for which any person can be charged with a criminal
offense, Title 18, U.S.C. 2423(a), a person who knowingly
transports an individual who has not attained the age of 18
years in interstate commerce, with intent that the individual
engage in any sexual activity, for which any person can be
charged with a criminal offense, and Title 18, U.S.C.
2423(b), a person who travels in interstate commerce for the
purpose of engaging in any illicit sexual conduct with
another person.

1 2. I am a Special Agent (SA) of the Federal Bureau
2 of Investigation (FBI) currently assigned to the Albuquerque
3 Division, Las Cruces Resident Agency (LCRA), and have been
4 employed by the FBI for approximately twelve and a half
5 years. As a Special Agent of the FBI, I am authorized to
6 investigate crimes involving the sexual exploitation of
7 children including violations of Title 18, United States
8 Code, Sections 2422 and 2423. My training includes attending
9 numerous Crimes Against Children Seminars. I have
10 investigated approximately 31 cases involving the sexual
11 exploitation of children.

12 3. All the facts set forth in this Affidavit are
13 personally known to me or have been made known to me by other
14 sworn law enforcement officers.

15 4. On September 8, 2009, at approximately 1:00
16 p.m., Daniel Troglia and Jane Doe, herein referred to as
17 subject and victim, respectively, were traveling west on
18 Interstate 10 in subject's 2001 Dodge Durango pick up truck
19 bearing Arizona (AZ) license plate 531WWV. When subject
20 approached the United States Border Patrol (USBP) Checkpoint,
21 located 20 miles west of Las Cruces, NM, subject was
22 questioned by Border Patrol Agents (BPAs). When BPAs
23 questioned victim, subject would answer the questions for
24 her. BPAs escorted victim inside the checkpoint, where she
25 admitted she was 13 years of age and had met subject on the
26 Internet. She admitted she was running away from home. BPAs
27 contacted New Mexico State Police (NMSP) for further
28 investigation.

29 5. While subject was being questioned by
30 Investigator Ricky Herrera, NMSP, the subject admitted that
31 on September 8, 2009, he traveled from his residence in Mesa,
32 AZ to Socorro, NM to meet victim and transport her to his
33 residence in AZ. Subject advised that he met victim via the
34 Internet approximately four months ago. He further admitted

1 that while en route back to AZ, subject fondled victim's
2 breasts and vaginally penetrated victim with his fingers.
3 NMSP contacted the FBI for assistance.

4 6. SAs Larry L. Houpt and D'Antonio took custody of
5 subject and transported him to the Las Cruces FBI office. He
6 was read his Miranda Rights, understood them, and affixed his
7 signature on the form, advising he would provide a statement.

8
9 7. Subject advised that approximately four months
10 ago, he met victim on the My Space website. According to
11 subject, victim's My Space web page listed her age as 19.
12 During the e-mail exchanges, the victim finally admitted to
13 subject that she was 13 years of age. Subject advised he had
14 already fallen in love with victim and could not cease
15 contact with her, despite the fact that subject knew she was
16 only 13.

17 8. Subject purchased victim a cellular phone in AZ
18 and mailed it to victim in Socorro, NM. The cell phones
19 became their primary means of communication. Subject
20 admitted that they were sexually attracted to one another,
21 and therefore, engaged in a lot of "phone sex" conversations.
22 While having phone sex, he would instruct victim to touch her
23 breasts and her vagina. Subject advised that victim would
24 ask him to masturbate while they conversed on the phone.

25 9. Subject advised that he asked victim to send him
26 nude photos of her breasts and vagina. Victim sent subject
27 about seven nude photos of herself via her camera cellular
28 phone. In turn, subject sent victim approximately seven nude
photos of his penis via his camera cellular phone.

10. According to subject, on September 7, 2009,
victim contacted subject and asked him to pick her up in

1 Socorro, NM because she was fighting with her mother.
2 Concerned for her safety, subject traveled from AZ to NM on
3 September 8, 2009, to help victim. Once victim was in
4 subject's vehicle, subject was "overwhelmed" by his sexual
5 attraction to victim. Subject admitted that on three
6 occasions, while en route back to AZ, he fondled victim's
7 breasts and penetrated her vagina with his fingers. The
8 above contacts occurred in Socorro County, Sierra County, and
9 Dona Ana County, respectively.

10 11. Subject advised that after he learned victim
11 was 13 years old, but before he traveled to NM, he had asked
12 victim to marry him and they talked about victim being the
13 mother of his children. Subject advised that once he
14 returned to his residence in AZ, he was wanting to engage in
15 sexual activity with victim.

16 12. Based on the above information, the Affiant
17 believes that probable cause exists to charge Daniel Troglia
18 with violations of Title 18, United States Code, Section
19 2422(b), whoever, using any facility or means of interstate
20 commerce, knowingly entices any individual who has not
21 attained the age of 18 years, to engage in any sexual
22 activity, for which any person can be charged with a criminal
23 offense, Title 18, U.S.C. 2423(a), a person who knowingly
24 transports an individual who has not attained the age of 18
25 years in interstate commerce, with intent that the individual
26 engage in any sexual activity, for which any person can be
27 charged with a criminal offense, and Title 18, U.S.C.
28 2423(b), a person who travels in interstate commerce for the
purpose of engaging in any illicit sexual conduct with
another person.

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Ida M. D'Antonio
Ida M. D'Antonio
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me this 10th day of Sep,
_____.

[Signature]
U.S. Magistrate